

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SECURITIES AND EXCHANGE
COMMISSION,

v.

Case No. 1:23-cv-01346

TERRAFORM LABS, PTE. LTD. and DO
HYEONG KWON,

**DECLARATION OF DOUGLAS W. HENKIN IN SUPPORT OF DEFENDANTS'
SUPPLEMENTAL MOTIONS *IN LIMINE***

Douglas W. Henkin declares, pursuant to 28 U.S.C. § 1746, as follows:

1. I am an attorney duly admitted to practice law before this Court and a partner with the law firm of Dentons U.S. LLP, counsel for Defendant Terraform Labs Pte. Ltd in the above-captioned action. I make this Declaration in support of Defendants' Supplemental Motions *in Limine*. This declaration is based on my personal knowledge except as otherwise indicated.

2. Dentons made efforts to obtain access to the LP Server data in connection with this litigation but was prevented from gaining such access. On October 10, 2023, Dentons asked Juyeong Shin of Bae, Kim & Lee, counsel for the owner of Kernel Labs, to request that the Naver Cloud Platform provide stored and archived data related to the LP Server code and its input. Juyeong Shin declined that request.

3. Attached hereto are true and correct copies of the following documents:

Exhibit Number	Exhibit Description
V	Chen Deposition Transcript
W	SEC Trial Exhibit 257
X	SEC Trial Exhibit 370

Y	SEC Trial Exhibit 371
Z	SEC Trial Exhibit 375
AA	SEC Trial Exhibit 377
BB	SEC Trial Exhibit 640
CC	Hanju Kim Deposition Transcript
DD	July 14, 2021 message from TFL employee SJ Park to Do Kwon, TFL_EMP_00006726
EE	May 2022 public Twitter post by William Chen, https://twitter.com/stablechen/status/1531356400852447233
FF	[REDACTED] Deposition Transcript
GG	Curran Deposition Transcript
HH	Defendants' Motions <i>in Limine</i> (not attached for filing; see docket entry)
II	Email dated January 15, 2024 from James P. Connor, previously cited as Exhibit U to the Declaration of Douglas W. Henkin dated January 15, 2024 in support of Defendants' Motions in Limine
JJ	Email dated February 23, 2024 from Devon Staren, SEC Senior Trial Counsel
KK	SEC Trial Exhibit 56
LL	Edman Deposition Transcript
MM	SEC's Motions <i>in Limine</i> (not attached for filing; see docket entry)
NN	Luu Deposition Transcript
OO	Amani Deposition Transcript
PP	Corporate Registry Certificate for TFL Korea
QQ	TFL_SEC_00248411
RR	TFL_SEC_00248411_EN
SS	TFL_SEC_00319376
TT	Certified Translation of Corporate Registry Certificate for Chai Corporation

UU	TFL_SEC_00310482
VV	Certified Translation of TFL_SEC_00310482

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Dated: February 26, 2023

/s/ Douglas W. Henkin

Douglas W. Henkin
DENTONS US LLP
1221 Avenue of the Americas
New York, NY 10020
Telephone: (212) 768-6832
Facsimile: (212) 768-6800
Douglas.henkin@dentons.com